



A place where families and businesses thrive.

Monday, April 27, 2020

City Council Regular Meeting Minutes

7:00 p.m., Webex Community Auditorium

***Minutes are unofficial until approved by Council.
Council approved minutes as presented May 11, 2020.***

1. CALLED TO ORDER AND ROLL CALL:

Mayor Peter Truax called the regular City Council meeting to order at 7:00 p.m. via Webex Video Conference.

COVID-19: Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the City Council limited in-person contact and social distancing. **The City Council conducted the Council meeting remotely by video conferencing.** The meeting was remotely video conferenced by Fire Chief Kinkade and City Recorder Ruggles and televised live from the projector screen at the Community Auditorium by Tualatin Valley Community Television (TVCTV) Government Access Programming LIVE Channel 30 and Live Streamed on MACC TVCTV YouTube Channel 30. The public was allowed to attend and observe in the Community Auditorium as space allowed (no more than 10 persons total at one time). The Council accepted written comments on items not on the agenda submitted by April 27, 2020, 3pm, to the City Recorder.

1. A. OATH OF OFFICE:

Ruggles administered the Oath of Office, prior to the start of the Council meeting, to Kristy Kottykey, who was appointed to fill the vacancy on City Council, appointed term expiring November, 2022. Kottkey replaces former City Councilor Ronald Thompson who died February 12, 2020.

ROLL CALL: COUNCIL PRESENT ATTENDED BY WEBEX REMOTELY: Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Adolph "Val" Valfre; Malynda Wenzl, Council President; and Mayor Peter Truax.

STAFF PRESENT ATTENDED BY WEBEX REMOTELY: Jesse VanderZanden, City Manager (Webex remotely); Paul Downey, Administrative Services Director (Webex remotely); Tom Gamble, Parks and Recreation Director (Webex remotely); Henry Reimann, Interim Police Chief (Webex remotely); Bryan Pohl, Community Development Director (Webex remotely); Gregory Robertson, Public Works Director (Webex remotely); Michael Kinkade, Fire Chief (in the Community Auditorium); and Anna Ruggles, City Recorder (in the Community Auditorium).

2. CITIZEN COMMUNICATIONS:

Mayor Truax referenced two e-mails that were submitted to City Council as referenced below.

Maraki Market, e-mail dated April 27, 2020, thanking the City for helping small business owners with the month of April rent assistance and asked if the City was expecting to provide future rent assistance for the month of May, because the State has not set a timeline of when businesses will be able to re-open due to COVID-19.

Cherie Savoie Tintary, Tint Salon, LLC, e-mail dated April 27, 2020, thanking the City for providing her business with the month of April rent assistance and asked if the City had a plan for phase two rental assistance for the month of May or longer, because hair salons will likely be the last businesses to open due to COVID-19. Secondly, she urged Council to put a ban on backyard burning during COVID-19 to keep air quality cleaner, noting there were eight burns in her neighborhood in the last month.

3. CONSENT AGENDA:

Items under the Consent Agenda are considered routine and are adopted with a single motion, without separate discussion. Council members who wish to remove an item from the Consent Agenda may do so prior to the motion to approve the item(s). Any item(s) removed from the Consent Agenda will be discussed and acted upon following the approval of the remaining Consent Agenda item(s).

- A. Approve City Council Special Meeting Minutes of March 26, 2020.
- B. Approve City Council Work Session (City Council Candidate Interviews) Meeting Minutes of April 13, 2020.
- C. Approve City Council Regular Meeting Minutes of April 13, 2020.
- D. **Endorse Liquor License Renewal Applications for Year 2020:**
 - 1) My Place Tavern, Full On-Premises Sales
- A. **RESOLUTION NO. 2020-42 APPOINTING KRISTY LYNNE KOTTKEY TO FILL VACANCY ON FOREST GROVE CITY COUNCIL, APPOINTED TERM OF OFFICE EXPIRING NOVEMBER, 2022.**

MOTION: Councilor Uhing moved, seconded by Councilor Rippe, to approve the Consent Agenda as presented. **ROLL CALL VOTE:** AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None.
MOTION CARRIED 7-0.

4. ADDITIONS/DELETIONS: None.

5. PRESENTATIONS:

5. A. COVID-19 (Coronavirus disease) Update

Fire Chief Kinkade presented a PowerPoint presentation overview pertaining to COVID-19 Response Update, which was updated in the Council packet.

5. B. Parks and Recreation Commission Annual Report

Paul Waterstreet, Parks and Recreation Commission (P&R) Chair, gave an overview of the P&R's 2019 Annual Report, noting P&R has accomplished numerous projects and initiatives, which were referenced in the annual report.

6. **RESOLUTION NO. 2020-38 AUTHORIZING MAYOR TO ENDORSE COUNCIL CREEK REGIONAL CORRIDOR (HILLSBORO TO FOREST GROVE) WORKING GROUP CHARTER**

Staff Report:

Robertson presented the above-proposed resolution for Council consideration, noting the resolution is authorizing the Mayor to endorse the Council Creek Regional Trail Corridor (Hillsboro to Forest Grove) Working Group Charter agreement. Robertson reported Metro, in collaboration with the Participating Agencies, developed the Charter to guide decision-making in the preliminary design and engineering of the Council Creek Regional Trail. In conclusion of the above-noted staff report, Robertson advised staff is recommending Council consider approving the proposed agreement as outlined in Exhibit A, noting the agreement does not bind the City to any financial commitment.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-38.

VanderZanden read Resolution No. 2020-38 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Rippe, to approve Resolution No. 2020-38 Authorizing Mayor to Endorse Council Creek Regional Corridor (Hillsboro to Forest Grove) Working Group Charter.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. MOTION CARRIED 7-0.

7. **RESOLUTION NO. 2020-39 AUTHORIZING CITY MANAGER TO EXECUTE MEMORANDA OF UNDERSTANDING (MOU) BETWEEN WASHINGTON COUNTY**

LAW ENFORCEMENT PROVIDERS COVID-19 RESPONSE

Staff Report:

Interim Police Chief Riemann presented the above-proposed resolution for Council consideration, noting the resolution is authorizing the City Manager to execute the Washington County Law Enforcement Providers COVID-19 Response Memoranda of Understanding (MOU). Riemann reported the purpose of the MOU is to provide the framework to address situations where a specific Participating Agency is unable to provide adequate law enforcement service levels as a result of COVID-19. In conclusion of the above-noted staff report, Reimann advised staff is recommending Council consider approving the proposed MOU as outlined in Exhibit A, noting the MOU is intended to remain in effect until 30 days after the Governor lifts the Declaration of Emergency related to COVID-19.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-39.

VanderZanden read Resolution No. 2020-39 by title.

MOTION: Councilor Valfre moved, seconded by Councilor Uhing, to approve Resolution No. 2020-39 Authorizing City Manager to Execute Memoranda of Understanding (MOU) between Washington County Law Enforcement Providers COVID-19 Response.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

8. RESOLUTION NO. 2020-40 AUTHORIZING DELAY OF INCREASES TO CITY FEES AND RATES UNTIL OCTOBER 1, 2020

Staff Report:

Downey presented the above-proposed resolution for Council consideration, noting the above-proposed resolution is authorizing to delay increases of city fees and rates until October 1, 2020. Downey reported as way to provide some relief for residents due to COVID-19 emergency, while being attentive to the long-term financial needs of the City, staff is proposing to delay fee increases which usually occur on July 1 to October 1, 2020. Downey advised the impact of delaying the fee increases is difficult to determine as the fees are based on volume of services, which can vary and some

services may not be provided or may only be provided on a limited bases by July 1, 2020. Downey affirmed the Water Fund has sufficient funds to absorb delaying a rate increase for three months with little long-term impact, Light and Power Fund may need a slightly larger increase in October, 2020, in order to not lose revenue due to a large capital project underway to fix the short-term outages that occur in the Thatcher area, and Clean Water Services is also looking at delaying rate increases for sewer and surface water management. In conclusion of the above-noted staff report, Downey advised staff is recommending Council consider approving the proposed resolution as outlined in Exhibit A, noting the last fee and rate increases occurred on July 1, 2019.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-40.

VanderZanden read Resolution No. 2020-40 by title.

MOTION: Council President Wenzl moved, seconded by Councilor Rippe, to approve Resolution No. 2020-40 Authorizing Delay of Increases to City Fees and Rates until October 1, 2020.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

9. **RESOLUTION NO. 2020-41 AMENDING THE CITY OF FOREST GROVE'S DECLARATION OF STATE OF EMERGENCY, EFFECTIVE MARCH 14, 2020, AT 1:00 P.M., TO BE EXTENDED AND REMAIN IN EFFECT UNTIL 8:00 P.M. ON MAY 11, 2020, UNLESS SUPERSEDED SOONER; AMENDING RESOLUTION NO. 2020-31**

Staff Report:

Mayor Truax presented the above-proposed resolution for Council consideration, noting the resolution is extending the duration of the City's emergency declaration that went into effect March 14, 2020, through April 13, 2020, and extended through April 30, 2020, to be extended for the second time to remain in effect until 8:00 p.m. May 11, 2020, unless superseded sooner. Mayor Truax reported he anticipates he will extend the City's declaration in compliance with the Governor's State of Emergency due to the COVID-19.

Before proceeding with Council discussion, Mayor Truax asked for a motion to adopt Resolution No. 2020-41.

VanderZanden read Resolution No. 2020-41 by title.

MOTION: Councilor Uhing moved, seconded by Councilor Valenzuela, to approve Resolution No. 2020-41 Amending the City of Forest Grove's Declaration of State of Emergency, Effective March 14, 2020, at 1:00 P.M., to be Extended and Remain in Effect Until 8:00 P.M. on May 11, 2020, Unless Superseded Sooner; Amending Resolution No. 2020-31.

Council Discussion:

Hearing no concerns from the Council, Mayor Truax asked for a roll call vote on the above motion.

ROLL CALL VOTE: AYES: Councilors Kottkey, Rippe, Uhing, Valenzuela, Valfre, Wenzl, and Mayor Truax. NOES: None. MOTION CARRIED 7-0.

10. COUNCIL COMMUNICATIONS:

Kottkey reported meeting virtually with all Department Directors as part of her Council Orientation. In addition, Kottkey highlighted her visioning and reported she is working on a communication piece as a way to communicate with her neighborhood residents and she is asking for tidbits to be sent to her, i.e., how the City is doing.

Rippe affirmed that Howard Sullivan, Chamber of Commerce Director, is officially retiring May 31, 2020, noting the Board has been discussing hiring a new director. In addition, Rippe reported on other legislative-related matters of interest and meetings he attended.

Uhing welcomed newly-appointed Councilor Kottkey and recently appointed Councilor Valenzuela. In response to Uhing's inquiry pertaining to the business emergency assistance program, VanderZanden advised the Urban Renewal Agency (URA) will be holding a work session on May 11, 2020, to discuss the URA's financial status and determine if additional monies can be expended. In response to Uhing's inquiry pertaining to the community member who voiced concerns pertaining to backyard burning, Mayor Truax advised Washington County, as well as state agencies, have issued a COVID-19-related announcement asking citizens to voluntarily refrain from conducting outdoor burning until further notice. Mayor Truax added the city currently allows yard debris burning from March 1 to June 15, noting implementation of a complete backyard burn ban would need to be brought back at Council level for discussion.

Valenzuela reported on various community-related services being provided by Centro Cultural, located in Cornelius. In addition, Valenzuela welcomed newly-appointed Councilor Kottkey.

Valfre voiced support of Ballot Measure 34-297 on the May 19, 2020, ballot, noting renewal supports member libraries of Washington County Cooperative Library Services of which Forest Grove is a member. In addition, Valfre reported on regional-related matters of interest and COVID-19 relief efforts.

Wenzl echoed concerns pertaining to backyard burning, noting she would like the Sustainability Commission to consider adding the topic as a goal. In addition, Wenzl recapped the groundbreaking celebration that was held at Rogers Park on April 24, 2020, for Anna and Abby's Yard, noting a formal celebration will be held in October, 2020.

11. City Manager's Report:

VanderZanden presented the City Manager's Report, dated April 24, 2020, noting the City's Situation Report is being updated frequently and published in English and Spanish. The City will remain closed to the public through May 11, 2020, unless superseded sooner. City operations are continuing remotely and online. No date has been set for reopening; however, management staff is developing a phased reopening framework for all city facilities not specifically covered by the Governor's Executive Order. Next week, the city will begin installing temporary Plexiglas at all public counters and changes to work stations to assure physical distance, self-monitoring practices, and workplace guidelines. Budget Committee, Planning Commission and Urban Renewal Agency will hold meetings virtually in May and other Boards and Commissions may meet virtually on an as-needed basis. Nyuzen canceled the Adult Delegation Visit, which was scheduled in early July, and Nyuzen Student Delegation Visit in December is still planned for now. National Night Out was rescheduled to October 6, 2020. In addition, VanderZanden reported on various department-related activities and projects as outlined in the activity report.

12. MAYOR'S REPORT:

Mayor Truax reported on League of Oregon Cities (LOC)-related matters of interest, noting a decision is pending if the Oregon Mayors Association's conference in August will be canceled. The LOC Annual Conference is scheduled October 15-17, 2020, in Salem. Mayor Truax read excerpts he wrote stating where he stood on the issue raised about states and cities declaring bankruptcy if struggling with economic losses as a result of COVID-19. In addition, Mayor Truax reported on various county and regional-related matters of interest.

13. **ADJOURNMENT:**

Mayor Truax adjourned the regular Council meeting at 8:22 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder